

APPENDIX
For Plans Not Using the Model Plan Form

Any provisions on the prior pages of this plan notwithstanding, the following provisions will be included as part of the plan:

- (1) Debtor(s) will not incur any new debts in excess of \$500.00 except such debts as may be necessary for emergency medical or hospital care without the prior approval of the Trustee or the Court unless such prior approval was impractical and therefore cannot be obtained.
- (2) The provisions of the Plan bind the Debtor(s) and each creditor, whether or not such creditor has objected to, has accepted, or has rejected the plan.
- (3) A fee of \$ 1,100 is allowed the attorney for the debtor(s) herein for all services rendered in connection with this Plan, except as otherwise ordered and allowed by the Court.
- (4) All of the Debtor(s) wages and property, of whatever nature and kind and wherever located, shall remain under the exclusive jurisdiction of this Court; and title to all of the debtor's property, of whatever nature and kind and wherever located is hereby vested in the debtor during pendency of these Chapter 13 proceedings pursuant to the provisions of 11 U.S.C. §1327.
- (5) Payments from the Plan funds will be made in the following order:
 - (a) Filing fee to the Clerk of the Court, U.S. Bankruptcy Court (if unpaid);
 - (b) Retain at all times sufficient funds to pay all other accrued administrative expenses;
 - (c) Monthly payments to secured claims;
 - (d) Any domestic support obligations due and owing for which a claim has been filed;
 - (e) The unpaid balance of the above described fee to the debtor's attorney;
 - (f) Priority payments in full as allowed by the Court.
- (6) The balance of funds not retained for administrative expenses or used for payment of secured or priority claims shall be accumulated and distributed to unsecured creditors.
- JN
initial
JN
initial

(7) General unsecured creditors shall be paid a pro rata share of their claims as are finally determined by the Court notwithstanding the above. The plan will not be deemed completed until the debtor(s) pay(s) three years worth of plan payments, unless allowed unsecured claims are paid in full. No claims shall be allowed unless the creditor shall file a timely proof of claim.

- (8) Any claim timely and properly filed by a creditor arising from rejection of an executory contract(s) shall be allowed as if such claim had arisen before the date of the filing of the petition, subject to the right of the debtor or the Trustee to object to the amount of the claim.
- (9) Upon conversion of this case to a case under another chapter, the failure of the debtor to honor bad funds negotiated by the Chapter 13 Trustee shall be deemed a willful failure to obey an order of this Court.

Date 7/29/2009 /s/ James Nesser
Debtor

Date _____
Debtor